



UNITED STATES PATENT AND TRADEMARK OFFICE

Under Secretary of Commerce for Intellectual Property and  
Director of the United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

Paper No. 30

WENDEROTH LIND & PONACK LLP  
2033 K STREET NW  
SUITE 800  
WASHINGTON DC 20006

COPY MAILED

MAY 12 2003

OFFICE OF PETITIONS

ON PETITION

In re Application of  
Kazuhiko Hara et al  
Application No. 09/438,786  
Filed: November 12, 1999  
Attorney Docket No. 00144/122111

This is a decision on the petition, filed by facsimile transmission on May 9, 2003, under 37 CFR 1.313(c)(2) to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

**Petitioner is advised that the issue fee paid on February 26, 2003 in the above-identified application cannot be refunded. If, however, the above-identified application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.<sup>1</sup>**

Telephone inquiries should be directed to the undersigned at (703) 305-8859.

After receipt of the file in the Office of Petitions, the application will be forwarded to Technology Center AU 2861 for processing of the request for continued examination under 37 CFR 1.114.

*Karen Creasy*  
Karen Creasy  
Petitions Examiner  
Office of Petitions  
Office of the Deputy Commissioner  
for Patent Examination Policy

<sup>1</sup> The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Issue Fee Transmittal Form PTOL-85(b), which includes the following language thereon: "Commissioner for Patents is requested to apply the Issue Fee and Publication Fee (if any) or re-apply any previously paid issue fee to the application identified above." Petitioner is advised that, whether a fee is indicated as being due or not, the Issue Fee Transmittal Form **must** be completed and timely submitted to avoid abandonment. Note the language in bold text on the first page of the Notice of Allowance and Fee(s) Due (PTOL-85).